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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Docket No.: 08 Civ. 5521 (da)

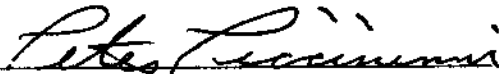
In the matter of the complaint of Piccininni, Inc.
as owner of a certain 1979 41' fishing vessel
known as the DAYBREAK III
for exoneration from or limitation of liability.

DECLARATION OF
PENDING FREIGHT

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I, Peter Piccininni, declare under the penalty of perjury, that the following is true and correct:

1. I am the President of Piccininni, Inc.
2. Piccininni, Inc. seeks limitation in the above captioned action.
3. On August 16, 2006 Piccininni, Inc. was, and still is, the owner of the 1979 41' vessel known as the DAYBREAK III.
4. At the conclusion, and as a result of, the voyage of the 1979 41' vessel known as the DAYBREAK III which ended on August 18, 2006, the value of the freight then pending was zero (0) dollars.


Peter Piccininni
Piccininni Inc.